

APPROVED: Meeting No. 1-83

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 44-82

December 13, 1982

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, on Monday, December 13, 1982, at 8:00 p.m.

PRESENT

Mayor John R. Freeland

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

ABSENT

Councilman Steve Abrams
(on travel leave)

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen M. Heneghan; City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Blick reported the following:

1. Two dozen Public Works employees worked beginning 2 am Sunday to clear snow. Employees of the Parks Department cleared City Hall and Civic Center Parking lots.
2. The City has received approval from the State of Maryland Open Space Program for a grant of \$45,000 for the construction of Dawson Farm Park.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. S. Aggarwal, Rockville Deli, re license termination

Councilman Duncan asked if the City had sent a letter to the proprietor explaining their alternatives. The City manager said that had been done. The Mayor said the owner of the business came to City Hall Saturday and spoke to him and said the delicatessen without a beer license is not very useful. The proprieter asked for the City's assistance in breaking their lease or whatever can be done to assist them.

2. Program Open Space, grant notice re Dawson Park
3. Gary and Sandra Anderson, re neighborhood problem
The City Manager said that problem has been taken care of.
4. Peerless Rockville, re meeting on Dawson Farm House.

Re: Information Items

The Mayor and Council noted the following items of information:

1. Memo from Police re College Gardens petition on offensive dog
Councilwoman Hovsepian said it was good to see this had been handled by the staff.
2. Memo from Director of Planning re Satellite Receivers
3. Memo from Director of Public Works re Storm Drain at Mt. Calvary Baptist Church
4. Response to citizen complaint
5. Senior Center Newsletter
6. Memo from CDHA re Crossway Community, Inc.
7. December Calendar
8. News item from USA Today, 12/6/82
9. Memo from City Manager re Vehicular Direction Sign System
Councilwoman Hovsepian asked the exact location of these signs. The City Manager explained.
10. Memo from Director of Public Works re St. Mary's Driveway Ext.
Councilman Duncan asked if anything is going to be done to assist and he wondered if St. Mary's realized there would be no access to the property once the dividing island is put into the road. Mr. Goodin said they probably did not realize what would happen but the State will accelerate construction of their new driveway. In fact, the State Engineer met with Mrs. Vaughan of St. Mary's last week. The City Manager explained how the traffic can use the High Street exist now and turn left. Chief Stout said he would look into some police assistance during Mass time. Councilman Tyner commented that there are other churches experiencing similar problems with traffic.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Rev. Mansfield Kaseman. Rev. Kaseman commended the Mayor and Council and thanked them for the City's participation in today's 15th Anniversary Celebration. He also congratulated the Mayor and Council for the swift action on the ordinance prohibiting acts of racial intolerance. He said it is apparent that the staff worked closely with Montgomery County in drafting the ordinance since it parallels theirs.

There being no other citizen wishing to address the Mayor and Council, the Mayor closed the citizen's forum portion of the meeting.

Re: Approval of comments on the annual update of the comprehensive master plan for educational facilities

The Planning Commission has had an opportunity to review the staff analysis of the 1982 Update of the School Board's 15-Year Plan.

The Planning Commission recommends that the Mayor and Council acknowledge receipt of the 1982 Update and express its desire to work as closely as possible with the Superintendent and the Board in advancing toward the next five-year revision to the 15-Year Plan.

The Planning Commission finds that the recommended CIP for fiscal years 1984-89 is consistent with the Plan for Rockville and existing policies and programs of the City.

On motion of Councilman Duncan, duly seconded and passed by unanimous vote of all present, the Mayor and Council agreed to acknowledge receipt of the update and approve the CIP as recommended by the Planning Commission.

Mr. Davis particularly commended Andy Johnson of his staff who performed the major work on this report.

Re: Review of staff recommendations on Transportation System Management Plan

The Planning staff has prepared and recommended the Transportation System Management Plan. It represents a combination of 24 months of staff time working with the Metropolitan Washington Council of Governments in the formulation of the recommended program. It also recommends the completion of Phase I of the longer term transportation planning program of the City. The staff has brought forward the following recommendations:

- o The City should adopt the consolidated list of proposed objectives and implement traffic engineering strategies recommended by the Citizens Liaison Committee and the Joint Session of the Planning and Traffic and Transportation Commissions as an interim TSM Plan.
- o The TSM Program should continue to emphasize and implement traffic engineering strategies.
- o The TSM Program should begin to emphasize transit and paratransit TSM strategies taking advantage of the resources offered by the County.
- o If the City decides to expand its current TSM Program to include transit and paratransit strategies, a transportation broker (intern) should be hired for a year.

- o The TSM Program should review the draft Parking Management Plan and the provisions of the zoning ordinance to determine their effects on the TSM goal.
- o The City should review the progress of the TSM Program in two years or after Metrorail and Ride-On have opened and some development has occurred in Town Center.

The Mayor and Council thanked the staff for the report. Mayor Freeland noted that no specific action is called for this evening. The Mayor and Council will concentrate on the next items. Mr. Davis commended Sue Richards of the Planning Department who prepared this report.

Re: Review of proposed transportation planning program, Phase II

During November the Planning staff met with representatives of several civic associations and staff from the Maryland-National Capital Park and Planning Commission and the Council of Governments to lay out the work program for the next phase of the transportation planning program. The staff plans to rely on the COG based Transportation Intergrated Model system (TRIM) and the Maryland-NCPPC Corridor Cities Transportation Improvement System Model, the sub-area level analysis of the Master Plan and highway network. The work program outlining the general direction of the next 18 months was submitted to the Mayor and Council. Mr. Davis explained the tasks will include four casts of land use, population, employment and trip generation to the year 2000 based on two future development scenarios. The trend scenario will assume achievement of the 1970 Master Plan land use, population and employment objectives. The high scenario will assume a very aggressive development climate in the City, resulting in higher density development and related trip generation and travel patterns. He recommended that the Mayor and Council approve the work program outlined in Phase II and instruct the staff to complete the establishment of a working relationship between the Park and Planning Commission and the Council of Governments which becomes a tri-party system of mutual dependency.

Councilman Tyner asked how the work program includes pedestrians. Mr. Davis said the staff is now looking at sidewalk standards and there will be a hierarchy of sidewalks. Mr. Davis added that the staff is interfacing a heavy network of sidewalks within the transit network. Councilman Tyner asked about the parking question in the neighborhoods. Mr. Davis explained it is very difficult to project a plan since this must be done on a neighborhood planning

basis due to the different sizes of the streets. Councilman Tyner asked if the County will be collaborating with the City. Mr. Davis said there are no answers to that right now but the mechanism is in place to work it out through the inter-agency transportation coordinators. Councilwoman Hovsepien said the plan is well laid out and easy to follow. She asked that all of the information be forwarded to the community. Mayor Freeland asked what significance this had on the Rockville community in the next five years and what is being looked for. Mr. Davis said there are no specifics, it is a general plan. Mayor Freeland said it would be better to decide what the City wants and where it is and then work on how to get to that point than to just do planning with no particular goal in mind since there are so many variables. The City Manager said since the City is not fully developed, there is not that much necessity for planning, but once it is in place it will be useful. For instance, in the development of land between the Woodmont Country Club and I-270, the density may depend on the road network. Also, more dense housing development can be done with sufficient road ways. Councilman Tyner agreed and said it is essential to have this information in variable forms for rehabilitation such as the redevelopment of the Pepsi Cola property. Mayor Freeland said he would prefer to have the staff looking at something more innovative than statistics and he would like to see ways to utilize the present system without large capital investments. The City at the present time has adequate notice of any action involving City streets. He would like to know what the City will have when all this planning is finished. Mr. Davis said there will be five scenarios in ten variations developed.

The Mayor and Council thanked the staff for the work done on this project.

Re: Storm Water Management
Proposals: (a) Proposed
Ord: To amend Chapter 17 of
the "Laws of Rockville",
entitled "Grading, Erosion, &
Sediment Control" to make
various technical changes,
provide for municipal infrac-
tions, and amend application
& bonding requirements.
(b) Resolution: To establish
a schedule of contributions
for off-site storm water
management that reflects an
increase

On motion of Councilwoman Hovsepien, there was introduced upon the table an

Ordinance amending Chapter 17 of the "Laws of Rockville" entitled "Grading, Erosion, & Sediment Control" to make various technical changes, provide for municipal infractions, and amend application and bonding requirements. Councilman Duncan asked why different systems are being followed below 5,000 square feet and why the delegation of authority. The staff explained it was simply in the interest of expediency. The Council displayed some hesitancy to this suggestion. Mr. LaFever explained that it simply costs more than its worth to put an item on the agenda. The Mayor asked that the questions of the Council be addressed prior to adoption.

Resolution No. 34-82

On motion of Councilman Duncan, duly seconded and passed by unanimous vote of all present, Resolution No. 34-82, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council, was adopted, raising the contributions for off-site storm water management.

Re: Introduction of Ordinance:
To amend Chapter 13 of the
"Laws of Rockville" entitled
Human Rights Commission, to
prohibit racial and religious
intimidation

On motion of Councilman Duncan, there was introduced upon the table, an ordinance prohibiting racial and religious intimidation, said ordinance to lay over one week before final action is taken.

Councilwoman Hovsepian moved that the rules be suspended to adopt it this evening. The motion failed for lack of a second since the Council did not see any necessity for treating this as emergency legislation. Mayor Freeland said he had contacted all the Mayors in Montgomery County to tell them what the City is doing and asked them to follow and participate. It is important to let the County know that the cities moved quickly to implement their ideas in light of the Tillie Frank discussions.

Re: New Business

1. Councilman Tyner briefed the Mayor and Council on the MML/LAC meeting and passed out a synopsis of the meeting to Councilmembers and gave them an update on Tillie Frank legislation.

2. Councilman Duncan said the Society for Theatre Arts in Rockville (STAR) is moving along fine and their meetings have been quite productive.

3. Councilman Duncan said JoAnn Mazzetta has brought a problem to his attention. Sledgers on the berm that abuts her backyard have been hitting the trees in her yard. The City Manager said he will look into this.

4. Councilman Duncan said people are still getting warnings on the weekends for parking in the City lot. He asked if specific places can be set aside for public parking.

5. Councilman Duncan said a family by the name of Byrnes on Atlantic Avenue have a handicapped child and they would like suitable signs for traffic.

Re: Approval of Minutes

On motion of Councilman Duncan, duly seconded and passed by unanimous vote of all present, the Minutes of Meeting No. 42-82, November 22, 1982, were approved as amended.

Re: Work Session:
FY 84 Budget

The Mayor and Council met in work session on the budget, listened to a tape called Turning Conflicts Into Challenges, by Robert P. Biller of the University of Southern California. They were given information on the tri-annual assessment, general fund expenditure projections for the next five years and revenue projections for the next five years, and the FY 84 budget alternatives. Mayor Freeland asked that a letter be sent to the Park and Planning Commission concerning the fee support for recreational facilities. The Council will bring their suggestions for budget items to the Manager. Councilwoman Hovsepian said note should be made of the Rockville Community Clinic breakout, the transportation broker, emergency shelter and the staff person from landlord/tenant affairs. Councilman Duncan noted that the fees for rental should cover the landlord/tenant affairs person.

Re: Adjournment

There being no further business to come before the Council in work session, the meeting was adjourned at 11:15 p.m. to convene again on Monday, December 20, 1982, at 8:00 p.m. or at the call of the Mayor.